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JAN 18 2007

## FAX COVER SHEET

TO	
COMPANY	
FAX NUMBER	15712738300
FROM	charles mirho
DATE	2007-01-18 19:29:13 GMT
RE	FSP0152 (09/995,371) Pre-appeal brief

### COVER MESSAGE

Attorney Docket Number: FSP0152

Title: network performance determining

Application Number: 09/995,371

Examiner Name: Patel, Dhairya

### Contents of This Correspondence

4 pages of pre-appeal brief

1 page of Notice of Appeal

1 page of Certificate of facsimile

1 page of Petition for extension of time to reply

1 page of Fee transmittal to PTO

Authorization to debit deposit account for \$620 dollars.

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JAN 18 2007

**CERTIFICATE OF FACSIMILE TRANSMISSION**

for

Attorney Docket Number: FSP0152  
Client Reference Number: 260155US  
Title: network performance determining  
Application Number: 09/995,371  
Filing Date: Monday, November 26, 2001  
First Named Inventor: Cruickshank III, Robert F.  
Group Art Unit: 2151  
Examiner Name: Patel, Dhairya

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I hereby certify that the following is being transmitted via facsimile to telephone number 571-273-8300 on Thursday, January 18, 2007.

Signature: /Charles A. Mirho/  
Charles A. Mirho

**Contents of This Correspondence**

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**FEE TRANSMITTAL**

for

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First Named Inventor: Cruickshank III, Robert F.  
Group Art Unit: 2151  
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TOTAL FEE: \$620 dollars

This fee includes:

USPTO statutory fee to file a notice of appeal: \$500

USPTO statutory fee for extension of statutory period of reply by one month: \$120

Payment is made by Authorization to debit deposit account for \$620 dollars. PLEASE NOTE **FSP0152** AS THE ATTORNEY DOCKET NUMBER ASSOCIATED WITH THIS TRANSACTION.

Charge unpaid fees and credit overpayments to deposit account 501691. PLEASE NOTE **FSP0152** AS THE ATTORNEY DOCKET NUMBER ASSOCIATED WITH THIS TRANSACTION ON THE DEPOSIT ACCOUNT STATEMENT.

Submitted by:

Signature      /Charles A. Mirho/  
Charles A. Mirho  
Reg. 41,199  
Attorney for Applicant

Date: Thursday, January 18, 2007

Address all correspondence to:

FSP LLC

Attn: Charles A Mirho

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